

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

NEREIDA LEAL, individually	§	
and as representative of the	§	
estate of MARTIN LEAL-	§	
ESCOBEDO; MARTIN A. LEAL,	§	
individually, and	§	
MARIA ESCOBEDO,	§	
individually,	§	
Plaintiffs,	§	
	§	EP-17-CV-207-PRM
v.	§	
	§	
A STERLING FREIGHT	§	
CARRIER, INC.;	§	
MANDEEP K. BHATTI; and	§	
SHARANDEEP SINGH,	§	
Defendants.	§	

ORDER DISMISSING CERTAIN DEFENDANTS

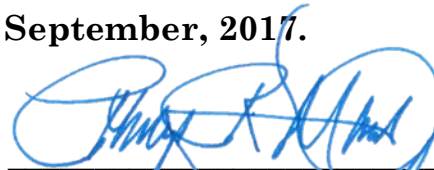
On this day, the Court considered Plaintiffs Nereida Leal, Martin A. Leal, and Maria Escobedo’s [hereinafter collectively referred to as “Plaintiffs”] “Stipulation of Dismissal of A Sterling Freight Carrier, Inc., and Mandeep Bhatti” (ECF No. 19) [hereinafter “Stipulation”], filed on September 15, 2017, in the above-captioned cause. Therein, Plaintiffs voluntarily dismiss two of the named defendants—A Sterling Freight Carrier, Inc. and Mandeep Bhatti—pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). Stipulation 1.

Federal Rule of Civil Procedure 41(a)(1)(A) states that “the plaintiff may dismiss an action without a court order by filing . . . a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Since neither A Sterling Freight Carrier, Inc. nor Mandeep Bhatti has filed an answer nor a motion for summary judgment, the Court is of the opinion that Plaintiffs’ claims against these two defendants should be dismissed without prejudice.

Accordingly, **IT IS ORDERED** that Plaintiffs Nereida Leal, Martin A. Leal, and Maria Escobedo’s “Stipulation of Dismissal of A Sterling Freight Carrier, Inc., and Mandeep Bhatti” (ECF No. 19) is **ACCEPTED**.

IT IS FURTHER ORDERED that Plaintiffs’ claims against Defendants A Sterling Freight Carrier, Inc. and Mandeep Bhatti are **DISMISSED WITHOUT PREJUDICE**, with each party to bear its own costs.

SIGNED this 21st day of September, 2017.



PHILIP R. MARTINEZ
UNITED STATES DISTRICT JUDGE